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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/773,971	01/31/2001	Eric G. Lang	MS#150411.1/40062.86US01	6285

7590 04/10/2007
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EXAMINER

VU, THANH T

ART UNIT	PAPER NUMBER
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2174

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	04/10/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

09/773,971

Applicant(s)

LANG, ERIC G.

Examiner

Thanh T. Vu

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 January 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 33, 35, 37, 39, 40, 51-53, 55-57, 59, 61 and 63-65 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 33, 35, 37, 39, 40, 51-53, 55-57, 59, 61, 63-65 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

This communication is responsive to Amendment, filed 01/08/2007.

Claims 33, 35, 37, 39, 40, 51-53, 55-57, 59, 61, 63-65 are pending in this application. In the Amendment, claims 33, 35, 37, 51, 53, 55, 61 and 63 were amended and claims 34, 36, 38, 41, 42, 43-50, 54, 58, 60, and 62 were canceled. This action is made Final.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 33, 35, 37, 39, 40, 52, 53, 55-59, 61 and 65 are rejected under 35 U.S.C. 103(a) as being unpatentable over Narayanaswami, (U.S. Pat. No. 6,556,222, Beaton et al. ("Beaton", U.S. Pat. No. 6,037,937), and Read (U.S. Pat. No. 6,443,614).

Per claim 33, Narayanaswami teaches a method for providing a user interface for an electronic device having a housing that includes a display, the method comprising:

providing a plurality of elements about a perimeter of the display (see fig. 8A and 8B; col. 3, lines 1-16). Narayanaswami does not teach providing a plurality of input elements on the housing arranged about a perimeter of the display wherein the input elements are separate from the display; displaying information in a foreground of the display; displaying a plurality of control image in a background of the display, each control image indicating a task to be

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performed by the electronic device, and positioning each control image in the background of the display immediately adjacent to a corresponding one of the input elements on the housing to associate the control image with the corresponding input element, wherein activation of one of the input elements initiates performance of the task indicated by the associated control image.

However, Beaton teaches displaying information in a foreground of the display (figs. 3A and 3B; display 340); and a plurality of control images in a background of the display, each control image indicating a task to be performed by the electronic device (fig. 8; col. 5, lines 19-26 and lines 40-54). Read teaches providing a plurality of input elements on the housing arranged about a perimeter of the display wherein the input elements are separate from the display, and positioning each control image of the display immediately adjacent to a corresponding one of the input elements on a housing to associate the control image with the corresponding input element, wherein activation of one of the input elements initiates performance of the task indicated by the associated control image (fig. 1A; col. 1, lines 30-40, and lines 54-60, and col. 4, lines 45-55). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to include the teaching of Beaton and Read in the invention of Naraynaswami in order to provide graphical control tools for efficient navigation in display devices, and in order to allow a user to easily associate a key of a handheld device with a function displayed on the display screen.

Per claim 35, Read teaches wherein the plurality of input elements comprises a first pair of input elements positioned on opposite sides of the housing (fig. 1A; col. 1, lines 54-60).

Per claim 37, Beaton teaches defining a plurality of regions within the background of the display (fig. 9A), positioning each of the control images within one of the defined regions (fig.

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9A-10C; col. 5, lines 40-54). Read teaches each defined region is positioned proximate to a separate one of the input elements (col. 1, lines 30-40 and lines 54-60); and

Per claim 39, Read teaches the method of claim 33 wherein each of the input elements comprise a button positioned on the housing (fig. 1A).

Per claim 40, 52 and 53, Read teaches the electronic device comprises a watch (fig. 1A).

Claim 55 is rejected under the same rationale as claim 33.

Per claim 56, Read teaches wherein the computer process further comprises receiving an activation signal from the input element (col. 1, lines 30-40).

Per claim 57, Read teaches wherein the computer process further comprises performing the task indicated by the control image associated with the input element after the activation signal is received (col. 1, lines 30-40 and lines 54-60).

Per claim 59, Beaton teaches wherein the combining operation includes blending the information screen and the control screen such that the control screen appears in front of the information screen (figs 8 and 10A-10C; col. 5, lines 19-26 and col. 6, lines 26-35).

Claim 61 is rejected under the same rationale as claim 37.

Per claim 65, Read teaches wherein the plurality of input elements further comprises a second pair of input elements positioned on opposite sides of the housing (fig. 1A; col. 1, lines 54-60).

Claims 51, and 63-64 are rejected under 35 U.S.C. 103(a) as being unpatentable Narayanaswami, (U.S. Pat. No. 6,556,222, Beaton et al. ("Beaton", U.S. Pat. No. 6037937), Read (U.S. Pat. No. 6,443,614), and Hoeksma (U.S. Pat. No. 6,271,835).

Per claim 63, the modified Naraynaswami teaches the computer readable medium of claim 55, but do not teach the computer process further comprises loading a character set, the character set including a plurality of individual characters; dividing the character set into character subsets; representing each of the character subsets as a separate control image in the control screen; receiving an activation signal from one of the input elements representing a selection of one of the character subsets; narrowing a range of the individual characters within the character set to the selected character subset; and repeating the dividing, representing, receiving, and narrowing operations until a selection of one of the individual characters is made. However, Hoeksma teaches the computer process further comprises loading a character set, the character set including a plurality of individual characters (fig. 2; col. 2, lines 24-48; and col. 4, lines 11-26); dividing the character set into character subsets (fig. 2; col. 2, lines 24-48; and col. 4, lines 11-26); representing each of the character subsets as a separate control image in the control screen (fig. 2; col. 2, lines 24-48; and col. 4, lines 11-26); receiving an activation signal from one of the input elements representing a selection of one of the character subsets; narrowing a range of the individual characters within the character set to the selected character subset (fig. 2; col. 2, lines 24-48; and col. 4, lines 11-26); and repeating the dividing, representing, receiving, and narrowing operations until a selection of one of the individual characters is made (fig. 2; col. 2, lines 24-48; and col. 4, lines 11-26). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to include the teaching of Hoeksma in the invention of the modified Naraynaswami because it provides users with a clear and intuitive method of data input in an area of limited space.

Claim 51 is rejected under the same rationale as claim 63.

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Claim 64 is rejected under the same rationale as claim 40.

Response to Arguments

Applicant's arguments with respect to the amendment have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

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Inquiries

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thanh T. Vu whose telephone number is (571) 272-4073. The examiner can normally be reached on Mon-Thur and every other Fri 7:30 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine L. Kincaid can be reached on (571) 272-4063. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

T. Vu


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